

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

DAKOTA VAUGHN,

Plaintiff,

v.

ARKANSAS EGG COMPAN, INC., and
VITAL FARMS, INC.,


Defendants.

Case No. CIV-17-086-RAW

ORDER

This matter came on for status and scheduling conference and motions hearing today. The Second Amended Complaint is deemed filed as of April 17, 2017. The court addressed the joint motion to dismiss [Docket No. 38]. For the reasons stated at the hearing, the joint motion to dismiss is granted in part and denied in part as follows: (1) the motion is granted as to the declaratory action, as the Defendants have waived the arbitration clause and Plaintiff has not alleged sufficient imminence of the non-compete clause being in controversy; (2) the motion is granted as to the bad faith claims, as the Plaintiff has not made allegations of a special relationship or a contract of adhesion and his allegations as to this claim are conclusory; (3) the motion is granted as to exemplary damages; and (4) the motion is denied as to the breach of contract claims.

IT IS SO ORDERED this 25th day of May, 2017.


Ronald A. White
United States District Judge
Eastern District of Oklahoma